

**AMENDMENT AND PRESENTATION OF CLAIMS**

Please replace all prior claims in the present application with the following claims, in which claims 1, 7, 13-25 and 29 are currently amended.

1. (Currently Amended) A data communication system for providing content transmission upon placement of a call on hold, the system comprising:

a server configured to receive a message from a first client indicating the hold condition of the call with a second client; and

another server configured to ~~transmit store the content stored therein to the second client in response to a request message from the server,~~

wherein the server is configured to generate a request message, in response to the hold condition, for performing call control on behalf of the first client by transmitting the request message to the other server to instruct the other server to transmit the content to the second client.

2. (Original) A system according to claim 1, wherein the server is configured to perform a proxying function according to an application layer protocol that includes a Session Initiation Protocol.

3. (Original) A system according to claim 1, wherein the content includes at least one of music and messaging.

4. (Original) A system according to claim 1, wherein the first client selects the content for transmission to the second client.

5. (Original) A system according to claim 4, wherein the selected content is specified in a header of a Session Initiation Protocol (SIP) message from the first client to the server.

6. (Original) A system according to claim 1, wherein the server sends a signaling message to the first client to instruct the first client to cease sending media to the second client.

7. (Currently Amended) A method for providing content transmission over a data network upon placement of a call on hold, the method comprising:

receiving a message from a first client indicating the hold condition of the call with a second client; ~~and~~

generating a request message, in response to the hold condition, for performing call control on behalf of the first client; and

transmitting ~~a~~ the request message to a content server to instruct the content server to transmit content stored therein to the second client.

8. (Original) A method according to claim 7, wherein the receiving step is performed according to an application layer protocol that includes a Session Initiation Protocol.

9. (Original) A method according to claim 7, wherein the content in the transmitting step includes at least one of music and messaging.

10. (Original) A method according to claim 7, wherein the first client in the receiving step selects the content for transmission to the second client.

11. (Original) A method according to claim 10, wherein the selected content is specified in a header of a Session Initiation Protocol (SIP) message from the first client.

12. (Original) A method according to claim 7, further comprising:  
sending a signaling message to the first client to instruct the first client to cease sending media to the second client.

13. (Currently Amended) A network device for providing content transmission over a data network upon placement of a call on hold, the device comprising:  
a communications interface configured to receive a message from a first client indicating the hold condition of the call with a second client; and  
a processor coupled to the communications interface and configured to generate a request message ~~to be transmitted, in response to the hold condition, for performing call control on behalf of the first client by transmitting the request message~~ to a content server to instruct the content server to transmit content stored therein to the second client.

14. (Currently Amended) ~~An~~ A device according to claim 13, wherein the communications interface receives the message according to an application layer protocol that includes a Session Initiation Protocol.

15. (Currently Amended) ~~An~~ A device according to claim 13, wherein the content includes at least one of music and messaging.

16. (Currently Amended) ~~An~~ A device according to claim 13, wherein the first client selects the content for transmission to the second client.

17. (Currently Amended) ~~An~~ A device according to claim 16, wherein the selected content is specified in a header of a Session Initiation Protocol (SIP) message from the first client.

18. (Currently Amended) ~~An~~ A device according to claim 13, wherein the processor generates a signaling message to the first client to instruct the first client to cease sending media to the second client.

19. (Currently Amended) A network device for providing content transmission over a data network upon placement of a call on hold, the device comprising:  
means for receiving a message from a first client indicating the hold condition of the call with a second client; and  
means for generating a request message to be transmitted, in response to the hold condition, for performing call control on behalf of the first client; and  
means for transmitting the request message to a content server to instruct the content server to transmit content stored therein to the second client.

20. (Currently Amended) ~~An~~ A device according to claim 19, wherein the receiving means receives the message according to an application layer protocol that includes a Session Initiation Protocol.

21. (Currently Amended) ~~An~~ A device according to claim 19, wherein the content includes at least one of music and messaging.

22. (Currently Amended) ~~An~~ A device according to claim 19, wherein the first client selects the content for transmission to the second client.

23. (Currently Amended) ~~An~~ A device according to claim 22, wherein the selected content is specified in a header of a Session Initiation Protocol (SIP) message from the first client.

24. (Currently Amended) ~~An~~ A device according to claim 19, wherein the generating means generates a signaling message to the first client to instruct the first client to cease sending media to the second client.

25. (Currently Amended) A computer-readable medium carrying one or more sequences of one or more instructions for providing content transmission over a data network upon placement of a call on hold, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of:

receiving a message from a first client indicating the hold condition of the call with a second client; ~~and~~

generating a request message, in response to the hold condition, for performing call control on behalf of the first client; and

transmitting a the request message to a content server to instruct the content server to transmit content stored therein to the second client.

26. (Original) A computer-readable medium according to claim 25, wherein the receiving step is performed according to an application layer protocol that includes a Session Initiation Protocol.

27. (Original) A computer-readable medium according to claim 25, wherein the content in the transmitting step includes at least one of music and messaging.

28. (Original) A computer-readable medium according to claim 25, wherein the first client in the receiving step selects the content for transmission to the second client.

29. (Currently Amended) A computer-readable medium according to claim ~~10~~ 28, wherein the selected content is specified in a header of a Session Initiation Protocol (SIP) message from the first client.

30. (Original) A computer-readable medium according to claim 25, wherein the one or more processors further perform the step of:

    sending a signaling message to the first client to instruct the first client to cease sending media to the second client.